



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.*

*This meeting will be televised live on Channel 6; repeated on 3/23/07 at 8 pm and 3/24/07 at 9 am*

### Monday, March 19, 2007

- (1) 12:30 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

### Tuesday, March 20, 2007

- 9:30-10:30 **Breakfast Meeting** with Board of Appeals and Hearing Examiner (Mihill)  
(6th floor Council Conference Room)

10:45 **INVOCATION** - Jan Tunney, Spiritual Assembly of the Baha'i of Montgomery County, Gaithersburg

10:50 **PRESENTATION** - Certificate of Appreciation to Harold Kessler, Former Chair, Merit System Protection Board, by Council President Praisner

10:55 **GENERAL BUSINESS**

- (1.1) A. **Announcement** - Agenda and Calendar Changes (Lauer)  
• Additional requests for the FY08 Capital Budget and amendments to the FY07-12 Capital Improvements Program have been proposed. These amendments will be included in the budget public hearings on April 9, 10, 11 and 16, 2007. (Orlin)  
*Specific information on these additional amendments is available by calling the Council Office at 240 777-7900. Ask for Council staff memorandum concerning "Additional FY07-12 CIP Amendments".*

- (2) B. **Acknowledgement** - Receipt of Petitions  
C. **Action** - Approval of Minutes: February 26 and 27, 2007

(3) 11:00 **CONSENT CALENDAR**

- A. **Introduction** - Resolution to establish FY08 Solid Waste Service Charges (Levchenko)  
*Public Hearing is scheduled for 4/10/07 at 1:30 pm.*



(3) 11:00 **CONSENT CALENDAR** *(continued)*

- B. **Introduction** - Resolution to establish FY08 Water Quality Protection Charge (Levchenko)  
*Public Hearing is scheduled for 4/10/07 at 1:30 pm.*
- C. **Action** - Resolution to set public hearing on intent to consider increasing FY08 General Fund tax rate above the Constant Yield Tax Rate (CYTR) (Sherer)  
*Public Hearing is scheduled for 4/10/07 at 1:30 pm.*
- D. **Action** - Resolution to amend Resolution 15-1471 for the FY07 Designation of Entities for Non-Competitive Award Status for the following: (McGuire)
  - Community Ministry of Montgomery County
  - Providers of services to developmentally disabled individuals
- E. **Action** - MFP Committee report and recommendations on OLO Report 2007-2: A Study of Montgomery County Government's Recruitment Practices and Workforce Diversity (Richards)
- F. **Action** - Resolution to redesignate County's Local Management Board (McGuire)  
*HHS Committee recommends approval.*
- G. **Action** - Resolution to authorize Advance Taking - Quince Orchard Road Improvements project (Orlin)  
*T&E Committee recommendation will be available 3/19/07.*

11:10 **DISTRICT COUNCIL SESSION**

- (4) A. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)  
**Application No:** G-843  
**Applicant:** Holladay West Lane, LLC (Patricia Harris, Attorney)  
**Property:** 23,260 square feet located at 4903 Montgomery Lane and 4831 and 4833 West Lane, Bethesda  
**Action:** Rezone from R-60 to TS-R  
**Recommendations:** Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: Remand
- (5) B. **Action** - Development Plan Amendment DPA 07-1 (Zyontz)  
**Applicant:** Rossmoor-IDI Villa Cortese, LP (Barbara A. Sears and Yum Yu Cheng, Attorneys)  
**Property:** 1.63 acres located at the Southeast Quadrant of the Intersection of Georgia Avenue and Rossmoor Boulevard, Silver Spring (part of 618.5-acre age-restricted Leisure World)  
**Action:** 1 Building, 48 dwelling units (including 6 MPDUs)  
**Recommendations:** Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: No Report

11:10 **DISTRICT COUNCIL SESSION** *(continued)*

- (5.1) C. **Introduction** - Resolution to amend Annual Fee for enforcement of Special Exceptions, sponsored by District Council at request of County Executive (Levchenko)  
*Public Hearing is scheduled for 4/10/07 at 1:30 pm.*

11:30 **RECESS**

- (6) 1:30 **PUBLIC HEARING - Bill 4-07**, Outdoor Lighting - Standards - Established (Boucher/Zyontz)  
*T&E Committee worksession tentatively scheduled for 4/12/07.*
- (7) 1:30 **PUBLIC HEARING** - ZTA 07-01, Outdoor Lighting Standards (Boucher/Zyontz)  
*PHED Committee worksession will be scheduled at a later date.*
- (8) 1:30 **PUBLIC HEARING** - Supplemental appropriation to the Montgomery College's FY07 Capital Budget and amendment to the FY07-12 Capital Improvements Program - \$1,300,000 for Takoma Park Campus Expansion (Source: Major Facilities Reserve Fund) (Sherer)  
*ED Committee worksession tentatively scheduled for 3/26/07.*
- (9) 2:00 **JOINT BRIEFING** with Board of Education *(3rd floor Council Hearing Room)*  
• Report on Status of Out-of-School Time in Montgomery County, by the Collaboration Council for Children, Youth and Families (McGuire)

**ADJOURN**

The following appointment was received from the County Executive and is tentatively scheduled for confirmation on March 27, 2007:

Police Labor Relations Permanent Umpire: Ira Jaffe

### **FUTURE COUNCIL MEETINGS**

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

**Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.**

<b>Mar 26, 2007</b>	12:30 pm	State Legislative Program
<b>Mar 27, 2007</b>	8:30 am	Breakfast Meeting with Montgomery College
<b>Mar 27, 2007</b>	10:45 am	Regular Session
<b>Apr 2-6, 2007</b>		RECESS
<b>Apr 10, 2007</b>	8:30 am	Breakfast Meeting with County Executive
<b>Apr 10, 2007</b>	9:45 am	Regular Session
<b>Apr 17, 2007</b>	9:30 am	Regular Session
<b>Apr 24, 2007</b>	9:30 am	Regular Session

### **FUTURE PUBLIC HEARINGS**

**To testify call 240-777-7931**

#### **March 27, 2007**

1:30 pm ZTA 07-02, Buildable Lot - Clarification  
1:30 pm ZTA 07-03, Workforce Housing - Option  
1:30 pm Special appropriation to the MCPS' FY07 Capital Budget and amendment to the FY07-12 CIP - \$1,152,000 for HVAC Replacement and Planned Lifecycle Asset Replacement  
1:30 pm **Expedited Bill 5-07**, Personnel - Retirement - Firefighters,  
1:30 pm **Expedited Bill 6-07**, Structure of County Government - Non-merit Positions

#### **April 9, 2007**

7:00 pm FY08 Capital and Operating Budgets and amendments to FY07-12 CIP

#### **April 10, 2007**

1:30 pm Resolution to establish FY08 Solid Waste Service Charges  
1:30 pm Resolution to establish FY08 Water Quality Protection Charge  
1:30 pm Resolution to amend FY08 Transportation Fees, Charges, and Fares  
1:30 pm Resolution to set public hearing on intent to consider increasing FY08 General Fund tax rate above the Constant Yield Tax Rate (CYTR)  
1:30 pm Supplemental appropriations to the MCPS' FY07 Operating Budget -  
➤ \$792,922 for State School Improvement Grant  
➤ \$5,500,000 for the Provision for Future Supported Projects  
7:00 pm FY08 Capital and Operating Budgets and amendments to FY07-12 CIP

#### **April 11, 2007**

1:30 pm FY08 Capital and Operating Budgets and amendments to FY07-12 CIP  
7:00 pm FY08 Capital and Operating Budgets and amendments to FY07-12 CIP

#### **April 16, 2007**

7:00 pm FY08 Capital and Operating Budgets and amendments to FY07-12 CIP



If persons with disabilities need services or aides to participate in any Council activity, please call 240-777-7900 five days in advance. This agenda is available in an alternative format upon request.  
[www.montgomerycountymd.gov/council](http://www.montgomerycountymd.gov/council)

## **COUNCIL SEEKS APPLICANTS FOR TWO POSITIONS ON MONTGOMERY COUNTY PLANNING BOARD**

**Deadline 5:00 P.M., April 25, 2007**

The Montgomery County Council is seeking applicants to fill two upcoming vacancies on the Montgomery County Planning Board. The terms of Wendy Collins Perdue, Democrat, and Meredith K. Wellington, Republican, will expire on June 14, 2007. Ms. Perdue and Ms. Wellington have both served two terms and are not eligible for reappointment.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two full terms. This position can be filled by a Democrat (D), Republican (R) or a voter who declines to affiliate with a party, or is a member of another party officially recognized by the Board of Elections. Current members are: Royce Hanson, Chairman (D); Allison Bryant (R); Wendy Collins Perdue (D); John Robinson (D); and Meredith K. Wellington (R). Annual compensation for Board members is currently \$25,000. The Council is considering legislation to increase compensation to \$30,000. The increase would be effective for new appointees.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as Commissioners of the Maryland-National Capital Park and Planning Commission. Some of the Board's responsibilities with regard to planning are: 1) preparation and amendment of County General Plan; 2) preparation and amendment of Master Plans and functional plans; 3) formulation of subdivision regulations; 4) preparation of or recommendations on text amendments to the Zoning Ordinance; 5) implementation of the subdivision process by reviewing and approving all preliminary plans, site plans, and other plans for development; 6) advice on the planning implication of capital facilities and programs of the County Government, Montgomery College, Washington Suburban Sanitary Commission, and Montgomery County Public Schools; 7) commenting, under its Mandatory Referral authority, on plans for public facilities of local, state, and federal agencies; and 8) approval of the work program and the annual operating budget for the Planning Department and the Commission's bi-county offices.

The Planning Board sits as the Park Commission and approves the annual Parks Department operating budget and Capital Improvements Program, land acquisition contracts and major development contracts for parks, development plans for individual park facilities, policies for park operations, and park user fees.

The Montgomery County Planning Board meets all day every Thursday and often meets on one other evening a week. The entire Maryland-National Capital Park and Planning Commission meets the second Wednesday of every month. On average, a Planning Board member can expect to spend at least two full days a week in scheduled and informal meetings. Additionally, substantial time is required for preparatory work and other activities related to Planning Board responsibilities.

Letters expressing interest, including a resume listing professional and civic experience, should be addressed to Council President Marilyn Praisner, County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, and must be **received no later than 5:00 p.m., Wednesday, April 25, 2007.** It is the Council's policy not to consider applications received after the deadline. After the April 25 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June.

Letters of application are made public as part of the appointment process. The names of all applicants are published and available for public review and interviews are conducted in public. A resume of professional and civic experience should be included with letters of application. A financial statement of assets, debts, income, and family property interests will be required of all applicants; only the candidate appointed will be required to make the financial statement available to the public.

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**FOR INFORMATION: Justina Ferber, (240) 777-7938**

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**COUNCIL SEEKS APPLICANTS FOR**  
**CHARTER REVIEW COMMISSION**

**DEADLINE 5:00 P.M., APRIL 18, 2007**

The Montgomery County Council is accepting applications for membership on the County's Charter Review Commission.

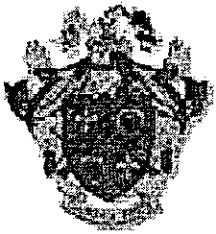
The County Charter was amended in 1976 to provide that a Charter Review Commission shall be appointed by the County Council every four years to study the Charter. The Commission researches and evaluates Charter issues raised by the County Executive, County Council, other government officials, and the public. Commission reports are submitted no later than May 1 of every even-numbered year. These reports contain recommendations concerning any proposed Charter amendments.

The Commission is composed of eleven residents of the County, five of whom are appointed from a list of names submitted by the County Executive. Six members will be appointed by the Council. The chair is designated by the Council and the vice chair is designated by the County Executive. No more than six members can be from the same political party.

Applicants should submit letters of interest, including resumes, to Marilyn J. Praisner, President, Montgomery County Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, **by 5:00 p.m., Wednesday, April 18, 2007.** Resumes should include professional and civic experience and home and office telephone numbers and email address. Letters and resumes submitted by applicants are made public as part of the appointment process. Members of County boards, committees and commissions may not serve on more than one such group at a time.

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**FOR INFORMATION: Justina Ferber, (240) 777-7938**



**Montgomery County Council**  
Legislative Information Services

***Packet Index***

***Tuesday, March 20, 2007***

Item Number	Note	Staff
Agenda Item #1.1	This item will be available on Monday, March 19.	Orlin